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Atty Dkt No. 9400-0006  
PXE-006.US  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

FRANCIS et al.

Serial No.: 09/657,289

Art Unit: 1652

Filing Date: September 7, 1999

Examiner: E. Slobodyansky

Title: LUCIFERASE EXPRESSION CASSETTES AND METHODS OF USE

**DECLARATION UNDER 37 CFR §1.825**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Gary R. Fabian, declare and affirm as follows:

1. I am agent for the applicant herein.
2. The diskette which accompanies this Declaration contains the required Sequence Listing.
3. The Sequence Listing recorded on said diskette (i.e., the computer-readable form) matches the hard copy of the Sequence Listing accompanying this Declaration, that is, the information recorded on the form is identical to the written Sequence Listing.
4. The submission contains no new matter relative to the application as originally filed.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

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punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: 23 March 2001

By: Gary R. Fabian  
Gary R. Fabian, Ph.D.  
Registration No. 33,875

ROBINS & ASSOCIATES  
90 Middlefield Road, Suite 200  
Menlo Park, CA 94025  
Telephone: (650) 325-7812  
Fax: (650) 325-7823